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09/674,101	10/26/2000	Mikko Kanerva	875.0005USU	1599

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HARRINGTON & SMITH, LLP  
4 RESEARCH DRIVE  
SHELTON, CT 06484-6212

EXAMINER
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ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 12/22/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/674,101

Applicant(s)

KANERVA ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is responsive to an amendment filed on 08/22/03. Claims 1-17 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 12, 15 and 17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4, 5, 7-12, 15 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Thibert et al. (U.S. Patent No. 6,397,058).

Regarding claim 1, Thibert teaches storing in the system service profile record (i.e., subscriber information) including service definitions of a mobile subscriber (abstract; col.2, lines 29-40).

Thibert further teaches establishing connections to the subscriber via a network element having access to the service profile record (i.e., subscriber information) of the mobile subscriber (abstract; fig.4; col.2, lines 29-40, col.6, lines 1-12).

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Thibert further teaches allowing a mobile subscriber to define in his service profile record (i.e., subscriber information) that his incoming calls are to be forwarded to another subscriber (abstract; col.2, lines 29-40, col.5, lines 1-17, 48-59).

Thibert further teaches indicating the forwarding of a call and a caller's identity in a call establishment signaling (col.2, lines 29-40, col.5, lines 1-17, 48-59).

Thibert further teaches allowing the subscriber to define an acceptance list of calling party's number (i.e., set of caller identities) in the subscriber information for defining allowed calling party's number (i.e., caller identities), the allowed calling party's number being either those included in or excluded from the group (fig.3B, fig.6; col. 5, lines 1-17, 36-47, 54-57).

Thibert teaches determining whether the caller identity of an incoming forwarded call belongs to the allowed calling party's number (i.e., identities) by checking (i.e., comparing) the calling party's number with the group of calling party's number, in response to receiving the call establishment signaling in the network element (abstract; fig.3B, fig.6; col. 5, lines 1-17, 36-47, 54-57, col.7, lines 5-17).

Thibert teaches continuing to establish the incoming forwarded call if the calling party's number (i.e., caller identity) belongs to the allowed identities (abstract; fig.3B, fig.6; col.5, lines 36-47, 54-57, col.7, lines 5-17).

Thibert teaches rejecting the call delivery (i.e., incoming forwarded call) if the calling party's number (i.e., caller identity) does not belong to the allowed identities (fig.3B, fig.6; col. 5, lines 1-17, 44-47, col.7, lines 18-28).

Regarding claim 2, Thibert teaches that the subscriber defines the set of caller identities (fig.3B, fig.6; col.5, lines 36-47, 54-57, col.7, lines 5-17).

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Regarding claim 4, Thibert teaches that callers, whose calls are to be rejected, are defined by the set of caller identities (fig.3B, fig.6; col.5, lines 36-47, 54-57, col.7, lines 5-17).

Regarding claim 5, Thibert teaches that the set of caller identities by callers whose calls are to be accepted, and rejecting calls whose caller identity does not belong to the set (fig.3B, fig.6; col.5, lines 1-17, 36-47, 54-57, col.7, lines 5-28).

Regarding claim 7, Thibert teaches that an intelligent network capable of storing subscriber information, characterized in that in the network element, the event of receiving a forwarded incoming call to a subscriber having determined the subscriber's forwarded incoming calls to be rejected is defined to be a trigger for sending a query to the intelligent network, and in response to having received the request to establish a call to a subscriber and having determined that the call has been forwarded and the subscriber has determined the forwarded incoming calls to be rejected, a query having the calling party's number as a parameter is sent to the intelligent network (fig.3B, fig.6; col. 5, lines 36-59, col.7, lines 5-17).

Thibert teaches that in the intelligent network, a set of allowed calling numbers in the subscriber information is stored and in response to having received the query sent by the network element, the set of allowed calling numbers is retrieved from the subscriber information, the calling party number is compared to the set, and the network element is instructed to continue a call establishment procedure if the calling party number belongs to the set of allowed calling numbers and to reject the incoming call if the calling number does not belong to the set (fig.1, fig.3B, fig.6; col. 5, lines 1-17, 36-47, 54-57, col.7, lines 5-28).

Regarding claim 8, Thibert further teaches that a fixed network comprising a mobile switching center (MSC) (i.e., local exchange) the subscriber is connected to, characterized in that

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the network element is a mobile switching center (MSC) and the subscriber information is stored in a SCP (i.e., database) the mobile switching center (MSC) is connected to (fig.1; col.3, lines 40-67).

Regarding claim 9, Thibert teaches that a mobile services switching center (MSC) serving the subscriber, and a visitor location register (VLR) connected to the mobile services switching center (MSC) (fig.1; col.3, lines 40-67).

Thibert teaches that the subscriber information is stored in the visitor location register (VLR) and the network element is the mobile services switching center (MSC) (fig.1; col.3, lines 40-67).

Regarding claim 10, Thibert teaches a home location register (HLR(C); HLR-C; MHLR) storing the subscriber information of a subscriber (fig.1; col.3, lines 40-67, col.4, lines 26-37).

Thibert further teaches that a gateway mobile services switching center (GMSC-C) via which an incoming calls of the subscriber are routed (fig.5A, fig.5B; col.6, lines 29-34, 55-65).

Thibert further teaches that the subscriber information is stored in the home location register (HLR) and the network element is the gateway mobile services switching center (GMSC-C) (col.3, lines 40-67, col.4, lines 26-37, col.6, lines 29-34, 55-65).

Regarding claim 11, Thibert teaches determining whether a call has been forwarded, the presence of a forwarding number indicating the identity of the party having forwarded is studied, and if the forwarding number is present, the call is determined to be forwarded (col. 5, lines 1-17, 36-59).

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Regarding claims 12, 15 and 17 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Thibert teaches Mobile switching centers (MSC) (i.e., exchanges) (fig.1; col.3, lines 40-67).

Thibert further teaches mobile subscribers (i.e., subscribers) (fig.1; col.3, lines 40-67).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 13, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thibert et al. (U.S. Patent No. 6,397,058) and in view of Alperovich et al. (International Pub. No. WO 98/05153).

Regarding claim 3, Thibert fails to teach "using a call forwarding counter in the call establishment signaling, in response to receiving call establishment signaling requesting establishment of a call from a calling subscriber to a first subscriber and determining that the first subscriber has forwarded the first subscriber's calls to a second subscriber, the call is forwarded to the second subscriber, and the value of the call forwarding counter is incremented". Alperovich teaches using a redirection counter in the call establishment signaling, in response to receiving call establishment signaling requesting establishment of a call from a calling subscriber to a first subscriber and determining that the first subscriber has forwarded the first subscriber's

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calls to a second subscriber, the call is forwarded to the second subscriber, and the value of the redirection counter is incremented (page 5, lines 31-35; page 7, lines 19-33; 'redirection counter' reads on the claim 'call forwarding counter'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thibert to allow using a call forwarding counter in the call establishment signaling, in response to receiving call establishment signaling requesting establishment of a call from a calling subscriber to a first subscriber and determining that the first subscriber has forwarded the first subscriber's calls to a second subscriber, the call is forwarded to the second subscriber, and the value of the call forwarding counter is incremented as taught by Alperovich. The motivation for the modification is to have the caller subscription in order to provide the use of a counter indicating the update of the call forwarding feature.

Thibert further fails to teach "determining whether the call has been forwarded, the value of the call forwarding counter indicated in the call establishment signaling is compared to predefined value, and if the value of the call forwarding counter exceeds the predefined value, the call is determined to be a forwarded one". Alperovich teaches determining whether the call has been forwarded, the value of the redirection counter indicated in the call establishment signaling is compared to predefined value, and if the value of the call forwarding counter exceeds the predefined value, the call is determined to be a forwarded one (page 7, lines 19-33; 'redirection counter' reads on the claim 'call forwarding counter'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thibert to allow determining whether the call has been forwarded, the value of the call forwarding counter indicated in the call establishment signaling is compared to predefined value,



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and if the value of the call forwarding counter exceeds the predefined value, the call is determined to be a forwarded one as taught by Alperovich. The motivation for the modification is to have the caller subscription in order to provide the status of the call forwarding feature.

Regarding claims 13 and 16, Thibert further to teach verifying the forwarding of a call using a call forwarding counter. Alperovich teaches verifying the forwarding of a call using a redirection counter (page 7, lines 19-33; 'redirection counter' reads on the claim 'call forwarding counter'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thibert to allow verifying the forwarding of a call using a call forwarding counter as taught by Alperovich. The motivation for the modification is to have the caller subscription in order to provide the status of the call forwarding feature.

Regarding claim 14, Thibert teaches configuring the subscriber information stored in the storing means (abstract; col.2, lines 29-40, col.6, lines 1-12).

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich et al. (International Pub. No. WO 98/05153) and in view of Thibert et al. (U.S. Patent No. 6,397,058) and further in view of Lynch (U.S. Patent No. 6,487,600).

Regarding claim 6, Alperovich in view of Thibert fails to teach "accepting calls from an unknown caller number". Lynch teaches accepting calls from an unknown caller number (col.29, lines 3-12). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alperovich in view of Kocan to allow accepting calls from an unknown caller number as taught by Lynch. The motivation for the modification is to accept the unknown caller in order to receive a link request from a user.

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*Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M. E.

MD SHAFIUL ALAM ELAHEE  
December 13, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

